

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DERRICK FITZGERALD

§

V.

§

CIVIL ACTION NO. 6:06CV123

CATHY LINDEMANN, ET AL.

§

ORDER OF DISMISSAL

Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

**ORDERED** that the above-styled case shall be and is hereby **DISMISSED WITH PREJUDICE** from the docket of this Court.

All motions by either party not previously ruled on are hereby **DENIED**.

**So ORDERED and SIGNED this 31st day of May, 2006.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**